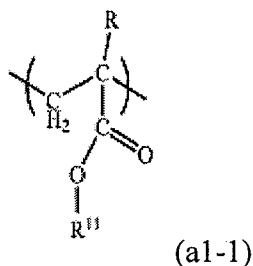


## AMENDMENTS TO THE CLAIMS

1. **(Currently amended)** A resin for a resist, comprising structural units (a) derived from an ( $\alpha$ -lower alkyl)acrylate ester as a principal component, wherein

said structural units (a) comprise structural units (a1) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising an acid dissociable, dissolution inhibiting group, and structural units (a2-1) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising a lactone-containing monocyclic group, and structural units (a3) derived from an ( $\alpha$ -lower alkyl)acrylate ester that comprises a polar group-containing aliphatic hydrocarbon group, wherein

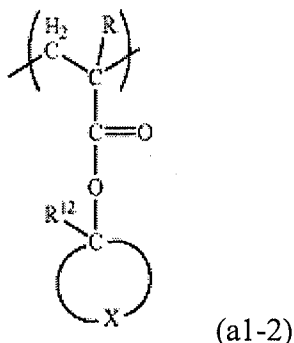
said structural units (a1) comprise structural units (a1-1) derived from an ( $\alpha$ -lower alkyl)acrylate ester and represented by a general formula (a1-1) shown below:



[wherein, R represents a hydrogen atom or a lower alkyl group, and  $R^{11}$  represents an acid dissociable, dissolution inhibiting group that comprises a monocyclic aliphatic hydrocarbon group and comprises no polycyclic aliphatic hydrocarbon groups], and wherein

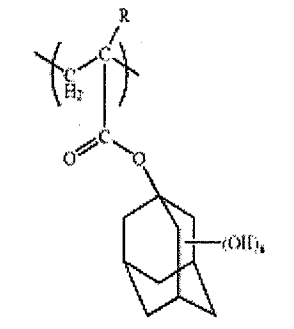
said polar group-containing aliphatic hydrocarbon group is a hydroxyl group-containing aliphatic hydrocarbon group.

2. **(Original)** A resin for a resist according to claim 1, wherein said structural units (a1-1) comprise structural units (a1-2) represented by a general formula (a1-2) shown below:



[wherein, R represents a hydrogen atom or a lower alkyl group,  $R^{12}$  represents a lower alkyl group, and X represents a group which, in combination with a carbon atom to which said group  $R^{12}$  is bonded, forms a monocyclic aliphatic hydrocarbon group].

3. **(Currently amended)** A resin for a resist according to claim 1, wherein said structural units (a) also comprise structural units (a3) derived from an  $(\alpha$ -lower alkyl)acrylate ester that comprises a polar group containing aliphatic hydrocarbon group structural units (a3) are structural units represented by a general formula (VIII) shown below:



(wherein, R is as defined above, and n represents an integer from 1 to 3).

4. **(Original)** A resin for a resist according to claim 1, wherein said structural units (a) also comprise other structural units (a4) derived from an  $(\alpha$ -lower alkyl)acrylate ester that comprises a polycyclic aliphatic hydrocarbon group, which differ from said structural units (a2) and (a3).

5. **(Original)** A positive resist composition comprising: (A) a resist resin component that exhibits increased alkali solubility under action of acid, and (B) an acid generator component that generates acid on exposure, wherein said component (A) comprises a resin for a resist according to claim 1.

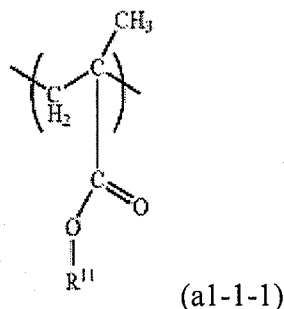
6. **(Original)** A positive resist composition according to claim 5, further comprising a nitrogen-containing organic compound.

7. **(Original)** A method of forming a resist pattern, comprising the steps of: forming a positive resist film on top of a substrate using a positive resist composition according to claim 5, conducting a selective exposure treatment of said positive resist film, and performing alkali developing to form a resist pattern.

8. **(Currently amended)** A resin for a resist, comprising structural units (a) derived from an  $(\alpha$ -lower alkyl)acrylate ester as a principal component, wherein said structural units (a) comprise structural units (a1) derived from an  $(\alpha$ -lower alkyl)acrylate ester comprising an acid dissociable, dissolution inhibiting group, and structural

units (a2) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising a lactone-containing monocyclic or polycyclic group, and structural units (a3) derived from an ( $\alpha$ -lower alkyl)acrylate ester that comprises a polar group-containing aliphatic hydrocarbon group, wherein

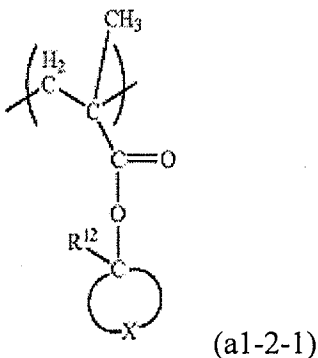
said structural units (a1) comprise structural units (a1-1-1) derived from a methacrylate ester and represented by a general formula (a1-1-1) shown below:



[wherein,  $R^{11}$  represents an acid dissociable, dissolution inhibiting group that comprises a monocyclic aliphatic hydrocarbon group and comprises no polycyclic aliphatic hydrocarbon groups], and wherein

said polar group-containing aliphatic hydrocarbon group is a hydroxyl group-containing aliphatic hydrocarbon group.

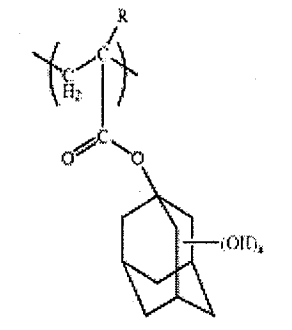
9. **(Original)** A resin for a resist according to claim 8, wherein said structural units (a1-1-1) comprise structural units (a1-2-1) represented by a general formula (a1-2-1) shown below:



[wherein,  $R^{12}$  represents a lower alkyl group, and X represents a group which, in combination with a carbon atom to which said group  $R^{12}$  is bonded, forms a monocyclic aliphatic hydrocarbon group].

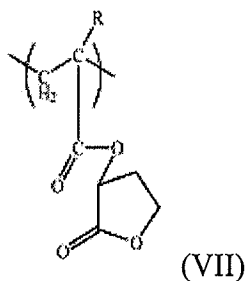
10. **(Currently amended)** A resin for a resist according to claim 8, wherein said ~~structural units (a) also comprise structural units (a3) derived from an ( $\alpha$ -lower alkyl)acrylate~~

ester that comprises a polar group containing aliphatic hydrocarbon group structural units (a3) are structural units represented by a general formula (VIII) shown below:



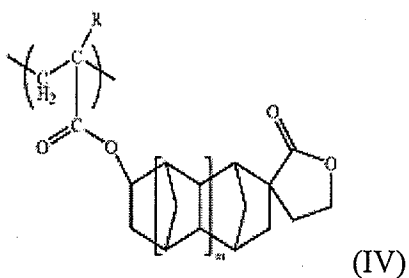
(wherein, R is as defined above, and n represents an integer from 1 to 3)

11. **(Original)** A resin for a resist according to claim 8, wherein said structural units (a) also comprise other structural units (a4) derived from an ( $\alpha$ -lower alkyl)acrylate ester that comprises a polycyclic aliphatic hydrocarbon group, which differ from said structural units (a2) and (a3).
12. **(Original)** A positive resist composition comprising: (A) a resist resin component that exhibits increased alkali solubility under action of acid, and (B) an acid generator component that generates acid on exposure, wherein  
said component (A) comprises a resin for a resist according to claim 8.
13. **(Original)** A positive resist composition according to claim 12, further comprising a nitrogen-containing organic compound.
14. **(Original)** A method of forming a resist pattern, comprising the steps of: forming a positive resist film on top of a substrate using a positive resist composition according to claim 12, conducting a selective exposure treatment of said positive resist film, and performing alkali developing to form a resist pattern.
15. **(New)** A resin for a resist according to claim 2 or 9, wherein R<sup>12</sup> represents an ethyl group.
16. **(New)** A resin for a resist according to claim 1, wherein said structural units (a2-1) are structural units represented by a general formula (VII) shown below:

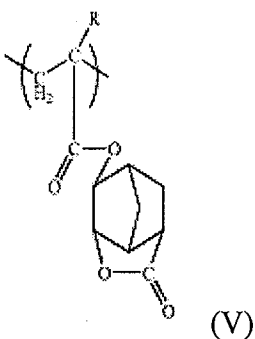


(wherein, R is as defined above).

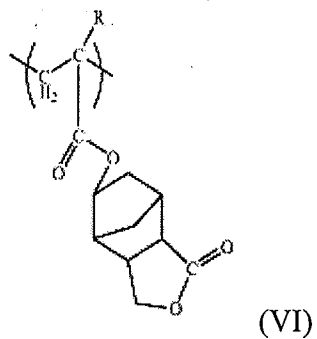
17. (New) A resin for a resist according to claim 8, wherein said structural units (a2) are at least one of structural units represented by general formulas (IV) to (VII) shown below:



(wherein, R is as defined above, and m represents either 0 or 1);



(wherein, R is as defined above);



(wherein, R is as defined above); and



(VII)

(wherein, R is as defined above).